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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,415	03/10/2004	Patricia A. Baldwin	1322/122/2	4134

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EXAMINER	
TAYLOR, BARRY W	
ART UNIT	**PAPER NUMBER**
2643	

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/797,415	BALDWIN ET AL.	
	Examiner	Art Unit	
	Barry W Taylor	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *3/10/04* is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. Claims 1-21 and 23-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunch et al (5,940,487 hereinafter Bunch) in view of Lauer et al (6,118,936 hereinafter Lauer).

Regarding claim 17. Bunch discloses selective access to CDR (i.e. call detail record) so that the call logic program can alter them. Bunch even discloses the capability to launch query messages to a service control point or pass control to a customer-developed call logic program (column 10). Bunch even discloses "search for a match comparison on a trigger condition" column 11. Bunch even teaches using

trigger data referenced by the returned trigger data index to build and transmit messages (column 13). Bunch also reveals (see column 13) that the customer-developed call logic program uses the call logic program interface to set a trigger for a specific event, such as the receipt of an SS7 initial address message on a particular circuit. Furthermore, Bunch not only collects and reports CDRs but also uses a POSIX compliant operating system and provides an UNIX-like platform (col. 3 lines 55-64, col. 4 lines 28-67). Portable Operating System Interface Unix (i.e. POSIX) is a universal Unix Interface that is used to run on all vender equipment, thereby improving system interoperability. POSIX uses semaphores (i.e. data bits) which are used to inform other processes by signaling a flag to indicate the data involved or associated with theses bits are possibly in the act of being changed and the other processes should not use the data as it is not accurate at that moment. This keeps the data shared between processes accurate. Bunch also shows generating traffic metering and measurement (TM&M) data where any artisan of ordinary skill would readily recognize the data from multiple sources are combined into a single record (col. 5 line1). Bunch even discloses event reporting and logging, basic data base access, reading and/or writing tables and table entries (col. 5 lines 25-27) and even discloses a tracing service of message transmission to and/or from delivery units, message transmission to and/or from external systems (col. 5 lines 27-43). Bunch even shows reading call processing dynamic database for a particular circuit (col. 8 lines 43-44). More importantly, Bunch indeed discloses that the universal UNIX-like platform allows for specialized traffic metering and measurement collection counters to be associated with native call

processing functions. After association, these counters may be automatically incremented by native call processing functions, and subsequently read by call logic programs for further processing (col. 14 lines 16-67).

Bunch fails to teach a method and system that switches to new peg counter definitions and generate a reply message based on the new peg counter definitions. Lauer discloses saving network transmission bandwidth by eliminating sending volumes of data (col. 3 lines 38-40 and lines 63-64, col. 5 lines 11-42, col. 6 lines 21-32). Lauer allows a programmer to simply program the pre-defined algorithms to be used (col. 7 lines 1-10). Lauer discloses processing relevant data by applying a selected algorithm (col. 7 lines 33-39). Lauer discloses parsing rules specify which fields are to be extracted from which types of events and parsing of the events extracts only those event data fields needed (col. 9 lines 49-60 and col. 12 lines 50-59). Furthermore, Lauer discloses that the event may be determined to be a timer and Signaling Network Management System (i.e. SNMS) algorithms sometimes need to delay further processing of specific conditions for a defined period of time, such as for persistence and rate algorithms. A delay timer is set for this condition and processing of new SNMS events continues. When the timer elapses, SNMS treats the expiration of time as an event and performs the appropriate algorithm (columns 8-9). More importantly, Lauer even discloses using GUI display wherein the displays are updated both upon initialization and when filter changes are requested (columns 11-12). Lauer further

discloses that screens are dynamically updated when alarm status of the node or circuit change, or when screen display request are issued by an operator (column 13).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time the invention was made to modify the teaching of Bunch to use the parsing rules as taught by Lauer so that the system may receive events from other networks and parse each event to extract relevant data, and identifying the type of event as taught by Lauer (col. 7 lines 34-41, col. 8 lines 20-21 and line 66, col. 9 line 43+).

Regarding claim 18. Bunch teaches SS7 (col. 2 lines 55-65).

Regarding claim 19. Lauer teaches IP protocol (col. 4 lines 50-61 and col. 9 lines 33-42).

Regarding claim 20. Lauer teaches converting SS7 into IP protocol enabling alarm server to be notified of alarm (col. 9 lines 33-42).

Regarding claim 21. Lauer teaches signaling link probes (col. 2 lines 43-54, col. 10 lines 37-55).

Regarding claims 23-24. Lauer further teaches user allowed to select information (col. 3 line 30 – col. 4 line 5, col. 12 line 4 – col. 15 line 23).

Regarding claims 25-27. Lauer teaches down loading definitions (col. 6 line 64 – col. 7 line 56, col. 9 lines 33-60, col. 12 line 50 – col. 14 line 62).

Method claims 1-16 are rejected for the same reasons as apparatus claims 17-21 and 23-27 since the recited apparatus would perform the claimed steps.

Program claims 28-37 are rejected for the same reasons as apparatus claims 17-21, 23-37 and method claims 1-16 since the recited apparatus and method would perform the claimed program steps.

2. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bunch et al (5,940,487 hereinafter Bunch) in view of Lauer et al (6,118,936 hereinafter Lauer) further in view of Saari et al (6,625,266 hereinafter Saari).

Regarding claim 22. Bunch in view of Lauer fail to teach collectors adapted to receive messages internal to a signaling node.

Saari also teaches peg counters (see peg counters right side figure 2) capable of receiving internal messages (see figure 3 wherein internal peg counter message is shown to include counter value and counter name) which reduces the amount of signaling data required thereby saving on processing capacity (col. 2 lines 19-36).

It would have been obvious for any one of ordinary sill in the art at the time the invention was made to modify the invention as taught by Bunch in view of Lauer to use internal messages as taught by Saari, because an artisan with ordinary skill in the art at the time of invention would recognize that it would save processing time by using internal messages having counter names.

3. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231
or faxed to:
(703) 872 9314,

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

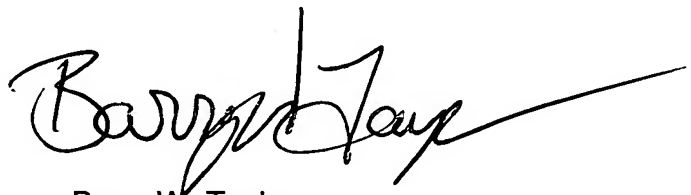
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor, telephone number (703) 305-4811, who is available Monday-Friday, 6:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached at (703) 305-4708. The facsimile phone number for this group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (703) 305-4750, the 2600 Customer Service telephone number is (703) 306-0377.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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